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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,061	07/23/2001	Yihsiu Chen	2001-0056	3217

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EXAMINER

TRAN, NGHI V

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/911,061

Applicant(s)

CHEN ET AL.

Examiner

Nghi V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-25 is/are pending in the application.
- 4a) Of the above claim(s) 1-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-25 is/are rejected.
- 7) ☒ Claim(s) 22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Objections

1. Claims 22 and 23 are objected to because of the following informalities:
Abbreviations, symbols acronyms, functional designations, letter combinations code names, initializes, nicknames mnemonic devices, project names, alphabetical contractions and general slang must be positively defined and identified in the claim.
Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 22-24 recite the limitation "said data packet streams". There is insufficient antecedent basis for this limitation in the claim. "said data packet stream" is understood as --said at least one packet data stream--.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 22 is rejected under 35 U.S.C. 102(e) as being anticipated by Liu, U.S.

Patent No. 6,079,020.

6. With respect to claim 22, Liu teaches a method practiced at a network interface unit (NIU) directly connected to at least one local area network (LAN), said NIU also being connected to a non-secure node of a second network, which second network is in packet communication with at least one access node of a secure virtual private network (VPN) [figs.1-2 and see abstract], the method comprising:

- receiving data packets from at least one device on said at least one LAN [210],
- multiplexing said data packets into at least one packet data stream [col.7, lns.8-67],
- modifying said packet data streams in a security server in said NIU in accordance with a secure communication protocol by encrypting packets in said data streams and encapsulating resulting encrypted packets [240], and
- providing network destination address information from a DNS server for at least selected ones of said data streams [250].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 22 above, and further in view of Ludovici et al., U.S. Patent No. 6,636,898 (hereinafter Ludovici).

9. With respect to claim 23, Liu is silent on said modifying said packet data streams in a security server comprises modifying said packet streams in an IPsec server.

In a virtual private network, Ludovici discloses said modifying said packet data streams in a security server comprises modifying said packet streams in an IPsec server [fig.22 and see abstract].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Liu in view of Ludovici by modifying said packet streams in an IPsec server because without it, it is not possible to insure that the system isn't compromised in some way, and that the resulting IPsec tunnel or the VPN connection isn't compromised [Ludovici, col.1, lns.33-65]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated to modify Liu in view of Ludovici in order to have a single point of control for all IPsec tunnel including the ability to start and stop manual and dynamic VPN [Ludovici, col.1, ln.61 - col.2, ln.10].

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10. With respect to claim 24, Liu further teaches a method comprising:
- receiving at least one stream of data packets from said non-secure network [300 and 310],
 - filtering out packets in said streams of received packets that are not from said VPN network, said filtering being performed by a firewall in said security server [320],
 - modifying said packets in said at least one stream by decrypting said packets in said at least one received data stream and decapsulating resulting decrypted packets, said decrypting and decapsulating being performed by said security server [340],
 - demultiplexing said at least one stream of received data packets to form at least one demultiplexed stream of data packets for delivery to said at least one LAN [350].
11. With respect to claim 25, Liu further teaches authenticating client devices on said at least one LAN, and wherein packets from authenticated client devices on said at least one LAN that are received at said network interface device are processed as packets received from said VPN [col.3, Ins.1-61].

Response to Arguments

12. Applicant's arguments with respect to claims 22-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi V Tran
Patent Examiner
Art Unit 2151

NT


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER